

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SUSAN SOTO PALMER, *et al.*,

CASE NO. 3:22-cv-05035-RSL

Plaintiffs,

V.

STEVEN HOBBS, *et al.*,

ORDER

Defendants,

And

JOSE TREVINO, *et al.*,

Intervenor-Defendants.

On August 10, 2023, the Court found that the boundaries of Washington Legislative District 15, in combination with the social, economic, and historical conditions in the Yakima Valley region, results in an inequality in the electoral opportunities enjoyed by white and Latino voters in the area. Judgment was entered in plaintiffs' favor on their Section 2 Voting Rights Act claim, and the State of Washington was given an opportunity to adopt revised legislative district maps for the Yakima Valley region pursuant to the process set forth in the Washington State Constitution and state statutes. When news reports indicated that the Majority Caucus Leaders of both houses of the Washington State

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1 Legislature had declined to reconvene the bipartisan redistricting commission, the State
2 was directed to file a status report notifying the Court of the Legislature's position. Having
3 reviewed the State's submission and the responses of plaintiffs and the Minority Caucus
4 Leaders, the Court finds as follows:

5 Given the practical realities of the situation as revealed by the submissions of the
6 interested parties, the Court will not wait until the last minute to begin its own redistricting
7 efforts. If, as the Minority Caucus Leaders hope, the Legislature is able to adopt revised
8 legislative maps for the Yakima Valley region in a timely manner, the Court's parallel
9 process, set forth below, will have been unnecessary. The likelihood that that will happen
10 has lessened significantly since the Court issued its Memorandum of Decision, however.
11 Establishing earlier deadlines for the presentation of alternative remedial proposals will
12 allow a more deliberate and informed evaluation of those proposals.

13 The parties shall meet and confer with the goal of reaching a consensus on a
14 legislative district map that will provide equal electoral opportunities for both white and
15 Latino voters in the Yakima Valley regions, keeping in mind the social, economic, and
16 historical conditions discussed in the Memorandum of Decision. If the parties are unable to
17 reach agreement, they shall (a) further confer regarding nominees to act as Special Master
18 to assist the Court in the assessment of proposed remedial plans and to make modifications
19 to those plans as necessary and (b) file alternative remedial proposals and nominations on
20 the following schedule:

1 December 1, 2023 -- Deadline for the parties¹ to submit remedial proposals,²
2 supporting memoranda, and exhibits (including expert reports).

3 December 1, 2023 – Deadline for the parties to jointly identify three candidates for
4 the Special Master position (including their resumes/CVs, a statement of interest,
5 availability, and capacity) and to provide their respective positions on each candidate.

6 December 22, 2023 – Deadline for the parties to submit memoranda and exhibits
7 (including rebuttal expert reports) in response to the remedial proposals.

8 January 5, 2024 – Deadline for the parties to submit memoranda and exhibits
9 (including sur-rebuttal expert reports) in reply.

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13 IT IS SO ORDERED.

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16 Dated this 4th day of October, 2023.

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19 Robert S. Lasnik
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21 United States District Judge

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26 ¹ No party has identified an individual or entity that has unique information or perspective that could help the Court beyond the assistance that the parties and their lawyers are able to provide, nor have they shown any other justification for the allowance of amicus briefs.

² The parties shall discuss the format and functionality of the remedial proposals, but the Court generally favors plaintiffs' suggestions that the maps include important roadways, important geographical markers, and voting precinct boundaries, that the maps be in a zoomable pdf format, and that the proposals include demographic data (e.g., total population per district and race by district of total population and citizen voting age population). Contemporaneous with the filing, all counsel of record shall be provided shapefiles, a comma separated value file, or an equivalent file that is sufficient to load the proposed plan into commonly available mapping software.